



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:)
:)
Edward A. MCCULLOCH)
:) Atty. Ref. 115988-00101
Serial Number: 10/067,847)
:) Group Art Unit: 3632
Filed: February 8, 2002)
:) Examiner: Kofi A. Schulterbrandt
For: COMPOSITE BUILDING MATERIAL)
AND PANELS MADE THEREFROM :

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby submits the following comments regarding the Examiner's Statement of Reasons for Allowance as set forth on page 2 of the Notice of Allowability dated July 29, 2004:

According to the Manual of Patent Examiner Procedures, "The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth." MPEP sec. 1302.14.

While the Examiner's reasons for allowing the claims in the present application are believed to be correct, they do not appear to be the sole reasons for allowance. The scope of the claims should be limited solely by the prior art.

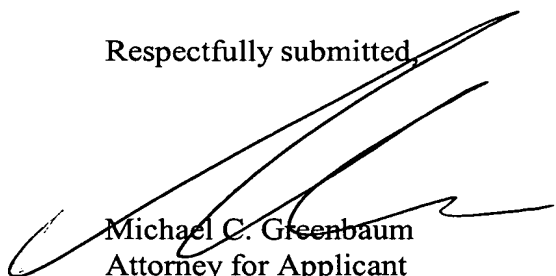
For example, with respect to the allowed claims, Applicant agrees that the cited prior art does not teach the structure of the claimed invention. But Applicant wishes to note that the prior art does not teach or disclose "a structural panel system for use in constructing a building" having the claimed structure, or "a fastening device for securing the plurality of panels to each other," as recited in claims 1, 13, and 17. Applicant wishes to note that the Examiner did not

recite all of the structural elements in the dependent claims; however, those elements presumably formed part of the basis for the Reasons for Allowance even if not explicitly stated as forming the basis for allowance of those dependent claims.

Therefore, the reasons set forth by the Examiner on page 2 of the Notice of Allowability are not the sole reasons that the claims are patentably distinct over the prior art.

Pursuant to 37 C.F.R. §1.104(e), these comments are submitted within the time set by the Notice of Allowability.

Respectfully submitted,



Michael C. Greenbaum
Attorney for Applicant
Registration No. 28,419

BLANK ROME, LLP
Watergate
600 New Hampshire Ave., N.W.
Washington, D.C. 20037
Telephone: (202) 772-5800

Date: 8/16/04